

National Republican Congressional Committee

Tom Cole, M.C.
Chairman

Pete Kirkham
Executive Director

May 2, 2008

Ms. Thomasenia P. Duncan
General Counsel
Federal Election Commission
999 E Street, NW
Washington, DC 20463

MUR # 6008

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RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

Re: Friends of Tony Barr

Dear Ms. Duncan:

The National Republican Congressional Committee hereby brings this complaint pursuant to 2 U.S.C. § 437g(a)(1) against Friends of Tony Barr Committee. The National Republican Congressional Committee is located at 320 First Street, SE, Washington, DC 20003.

Congressional candidate, Anthony ("Tony") Barr, is a candidate for the United States House of Representatives for Pennsylvania's 9th Congressional district. His principal campaign committee is Friends of Tony Barr. Over the past six months, Tony Barr has amassed a laundry list of campaign reporting violations that suggest a complete disregard for the law and the voters of Pennsylvania's 9th Congressional District. The list of Barr's campaign abuses include the most basic of filing requirements: from inaccurately filing his Statement of Candidacy to refusing to disclose his campaign donors, despite multiple letters from the Federal Election Commission ("Commission" or "FEC"). While Barr's campaign for public office appears not to be serious, as evidenced by his flippant attitude toward campaign finance laws, he should, nonetheless, be held accountable for meeting the most basic legal requirements of a candidate.

1. Factual Background

Barr filed his FEC Form 2 Statement of Candidacy on October 29, 2007, designating his principal campaign committee, "Friends of Tony Barr". Because he failed to state whether he intended to spend personal funds, he was required to amend and correct his Statement of Candidacy by December 10, 2007. Barr finally got around to amending his Statement of Candidacy on February 11, 2008, over two months past the due date.

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Washington, D.C. 20003
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Remarkably, the amended Statement of Candidacy still was not completed accurately and the Commission requested a second amendment to be filed by April 3, 2008. As of the date of this complaint, Barr has yet to respond. Barr's complete disregard of the Commission's reporting requirements, notices and deadlines is inexcusable.

In addition to ignoring Commission notices and deadlines, Barr failed to register his principal campaign committee, "Friends of Tony Barr", within the ten (10) day time period required by Commission regulations. Barr's FEC Form 1 Statement of Organization should have been filed no later than November 8, 2007, ten (10) days after designating his principal campaign committee on his Statement of Candidacy.

More importantly, Barr should have filed a Year-End FEC report disclosing all funds he had raised and spent from the time he became a candidate on October 29, 2007. This report should have been filed on January 31, 2008. Yet, because Barr never filed his Statement of Candidacy accurately and did not register his principal campaign committee during the time proscribed by Commission regulations, the public has no way of knowing how Barr was spending his campaign resources and the source of his funding.

Barr finally filed his Statement of Organization on February 11, 2008, more than three months after it should have been filed.

Aside from the multiple requests to amend his Statement of Candidacy, failure to file his Statement of Organization until almost four months later, and failure to ever file a Year-End FEC report, Barr continues show a flagrant disregard for federal disclosure rules. The Pennsylvania primary was on April 22, 2008 and Barr was on the Democratic ballot. Barr's pre-primary report, which should publicly disclose what Barr raised and spent in connection with the primary election, should have been filed by April 10, 2008 (postmarked by April 7, 2008). According to the Commission's website, and the as of the date of this complaint (May 2, 2008), his pre-primary report has yet to be filed.

2. Potential Violations

Tony Barr did not file a Statement of Organization until February 11, 2008. This comes 105 days after filing his Statement of Candidacy. The Federal Election Campaign Act, as amended by the Bipartisan Campaign Act of 2002 ("Act") requires that within ten (10) days after the candidate has designated his principal campaign committee, the committee must register with the Commission by filing a Statement of Organization. 2. U.S.C. § 433(a). Again, ten (10) days, not 105 days.

Moreover, federal law requires that principal campaign committees file periodic reports disclosing all receipts and disbursements. 2 U.S.C. § 434. These reports are required even if the campaign shows no activity. Remarkably, Barr has failed to file *any* disclosure report since announcing his candidacy. Barr should have filed a Year-End FEC report by January 31, 2008 disclosing his receipts and disbursements from at least October 29, 2007 through December 31, 2007.

In addition, Barr should have filed a pre-primary report by April 10, 2008. The Act and Commission regulations clearly state that pre-election reports are due 12 days before the election, covering activity through the 20th day before the election. 11 C.F.R. § 104.5(a)(2). The pre-primary report for Pennsylvania candidates was due by April 10, 2008. If mailed, the report should have been postmarked by April 7, 2008 (no later than the 15th day) before the filing deadline. The Commission has yet to receive or post Barr's pre-primary report.

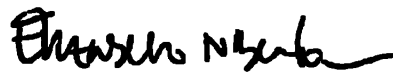
Voters in the 9th district of Pennsylvania do not have any information regarding the source of Barr's funding or his campaign activity since he announced his candidacy in October of last year. Barr's failure to file the required reports and failure to respond to the Commission in a timely manner is evidence of either his willful disregard of the Commission and the Act's disclosure requirements or his ignorance and lack of preparation to represent the people of the 9th district. According to Tony Barr's campaign website, "[i]t is time to raise the 'Barr' in Congress". Seems ironic since he has already missed the "Barr" on so many occasions.

3. Conclusion

For these reasons, we respectfully request that the Commission find reason to believe that Federal law has been violated and take the appropriate legal action.

The foregoing is correct and accurate to the best of my knowledge, information and belief.

Respectfully,



Elizabeth N. Beacham

District of Columbia
Signed and sworn before me this
2 day of May, 2008.



Notary Public
My Commission expires

KENDRA MERRITT
NOTARY PUBLIC DISTRICT OF COLUMBIA
My Commission Expires May 14, 2012

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